

U.S. District Court
Western District of Missouri (Kansas City)
CRIMINAL DOCKET FOR CASE #: 4:10-cr-00244-DW-2
Internal Use Only

Case title: USA v. Bagley et al

Date Filed: 09/08/2010

Date Terminated: 09/23/2013

Assigned to: District Judge Dean
WhippleAppeals court case number:
10-3774 8th Circuit Court of
Appeals**Defendant (2)****Bradley Cook**
TERMINATED: 09/23/2013represented by **Carter Collins Law**
141 N Meramec Ave
Ste 314
Clayton, MO 63105-3750
(314) 721-7095
Fax: (314) 863-7096
Email: ccledmo@schrienerlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED
Designation: Retained
*Bar Status: Phv***Lance David Sandage**
Sandage Bell LLC
2345 Grand Boulevard
Suite 675
Kansas City, MO 64108
(816) 753-0800
Fax: 877-684-5717
Email: lance@sandagebell.com
ATTORNEY TO BE NOTICED
Designation: Retained
*Bar Status: Active***Pending Counts**SEX TRAFFICKING OF
CHILDREN OR BY FORCE,
FRAUD OR COERCION
(2)SEX TRAFFICKING OF
CHILDREN OR BY FORCE,**Disposition**The defendant pleaded guilty to Count 2 on
12/20/2011 of the Superseding Indictment.

Oct 22 2013 p1

FRAUD OR COERCION
(2s)

IMPRISONMENT: The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 240 Months. The Court recommends to the Bureau of Prisons: That the defendant be considered for placement in Greenville, IL, to be close to his parents. That the defendant be considered for the 500-hour residential drug abuse program (RDAP). The defendant is remanded to the custody of the United States Marshal. STANDARD AND SPECIAL CONDITIONS OF RELEASE IMPOSED. **SUPERVISED RELEASE:** Upon release from imprisonment, the defendant shall be on supervised release for a term of Life.
CRIMINAL MONETARY PENALTIES: MSA: \$100.00. Restitution: \$123,041.66 (Defendant deposited his due amount of \$123,041.66 with the Clerk of the Court, and the Court finds that his due amount has been paid in full.)

Highest Offense Level (Opening)

Felony

Terminated Counts

CONSPIRACY TO DEFRAUD
THE UNITED STATES
(1)

CONSPIRACY TO DEFRAUD
THE UNITED STATES
(1s)

UNLAWFUL TRANSPORT OF
FIREARMS, ETC.
(10)

RACKETEERING –
PROSTITUTION
(11)

RACKETEERING –
PROSTITUTION
(13s)

TAMPER W/WITNESS, VICTIM,
INFORMANT
(MANSLAUGHTER)
(14s)

RACKETEERING – MURDER
(15s–16s)

RETALIATING AGAINST
WITNESS, VICTIM

Disposition

(17s)

INTIMIDATION OR FORCE

AGAINST WITNESS

(18s)

Highest Offense Level
(Terminated)

Felony

Complaints

Disposition

None

Plaintiff

USA

represented by **Cynthia L. Cordes**
United States Attorney's Office–KCMO
400 E 9th Street
Suite 5510
Kansas City, MO 64106
(816) 426–3188
Fax: (816) 426–7080
Email: teresa.moore2@usdoj.gov
TERMINATED: 09/27/2013
LEAD ATTORNEY
Bar Status: Inactive

John E. Cowles

United States Attorney's Office–KCMO
400 E 9th Street
Suite 5510
Kansas City, MO 64106
(816) 426–4179
Fax: (816) 426–4322
Email: john.cowles@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Bar Status: Active

Paul S. Becker

United States Attorney's Office–KCMO
400 E 9th Street
Suite 5510
Kansas City, MO 64106
(816)426–2771
Fax: (816)426–7080
Email: paul.becker@usdoj.gov
ATTORNEY TO BE NOTICED
Bar Status: Active

Oct 22 2013 p3

Teresa A. Moore
 United States Attorney's Office—KCMO
 400 E 9th Street
 Suite 5510
 Kansas City, MO 64106
 (816) 426-4256
 Fax: (816) 426-4322
 Email: teresa.moore2@usdoj.gov
ATTORNEY TO BE NOTICED
Bar Status: Active

Email All Attorneys

Email All Attorneys and Additional Recipients

Date Filed	#	Page	Docket Text
09/08/2010			ORDER as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel. This indictment shall be kept secret until a defendant is in custody or has been given bail, and upon completion of the issuance of the warrant of arrest, the Clerk shall seal the indictment, and it shall remain sealed pending further order of the Court. Signed by United States Magistrate Judge Sarah W Hays. This is a docket entry only. No document is attached. (McDowell, Shelly) (Entered: 09/09/2010)
09/08/2010	<u>1</u>		INDICTMENT as to Edward Bagley, Sr (1) count(s) 1, 2, 3, 4, 5, 6, 7, 8–9, 11, Bradley Cook (2) count(s) 1, 2, 10, 11, Dennis Henry (3) count(s) 1, 2, 7, 11, Michael Stokes (4) count(s) 1, 2, 11, James Noel (5) count(s) 1, 2, 11. (Attachments: # <u>1</u> Criminal Cover Sheet Bagley, # <u>2</u> Criminal Cover Sheet Cook, # <u>3</u> Criminal Cover Sheet Henry, # <u>4</u> Criminal Cover Sheet Stokes, # <u>5</u> Criminal Cover Sheet Noel) (McDowell, Shelly) (Main Document 1 replaced on 9/14/2010) (McDowell, Shelly). (Main Document 1 replaced on 9/14/2010) (McDowell, Shelly). (Main Document 1 replaced on 9/14/2010) (McDowell, Shelly). (Main Document 1 replaced on 9/15/2010) (Terry, Bill). (Main Document 1 replaced on 9/15/2010) (Terry, Bill). (Entered: 09/09/2010)
09/09/2010	<u>2</u>		ORDER REFERRING CASE to Magistrate Judge Robert E. Larsen as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel. Signed on 09/09/10 by District Judge Dean Whipple.(McDowell, Shelly) (Entered: 09/09/2010)
09/09/2010			ORDER as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel. A defendant having been arrested, it is ordered that this indictment be unsealed, and then processed in accordance with established procedure and law. Signed by United States Magistrate Judge Robert E Larsen. This is a docket entry only. No document is attached. (Baldwin, Joella) (Entered: 09/10/2010)
09/10/2010	<u>14</u>		MOTION for detention hearing by USA as to Bradley Cook. Suggestions in opposition/response due by 9/27/2010 unless otherwise directed by the court. (Cordes, Cynthia). (Entered: 09/10/2010)
09/10/2010	<u>15</u>		MOTION to continue detention hearing by USA as to Bradley Cook. Suggestions in opposition/response due by 9/27/2010 unless otherwise directed by the court. (Cordes, Cynthia). (Entered: 09/10/2010)

09/14/2010	<u>22</u>	RULE 5(C)(3) documents received as to Bradley Cook (Attachments: # <u>1</u> Waiver Rule 40, # <u>2</u> Docket Sheet)(McDowell, Shelly) (Entered: 09/14/2010)
09/15/2010	<u>27</u>	NOTICE OF ATTORNEY APPEARANCE Lance David Sandage appearing for Bradley Cook (Sandage, Lance) (Entered: 09/15/2010)
09/15/2010	<u>28</u>	Motion to allow Carter Collins Law to appear pro hac vice (Pro Hac fee \$50 receipt number 0866-2479082) by Bradley Cook. (Sandage, Lance) (Entered: 09/15/2010)
09/16/2010	29	ORDER granting <u>28</u> motion to appear pro hac vice approved by Clerk of Court. Attorney Carter Collins Law for Bradley Cook allowed to appear pro hac vice. This entry will serve as authorization for the pro hac participation by the attorney. as to Bradley Cook (2). Signed on 09/16/10 by District Judge Dean Whipple. ECF Attorney Registration form emailed to Mr. Law for completion. This is a TEXT ONLY ENTRY. No document is attached. (McDowell, Shelly) (Entered: 09/16/2010)
09/23/2010	<u>34</u>	Minute Entry for INITIAL APPEARANCE as to Bradley Cook held on 9/23/2010 before Magistrate Judge Robert E. Larsen: Defendant advised of charges, penalties and rights. Defendant waives formal reading of the Indictment. Defendant has retained counsel. Motion for pretrial detention hearing granted; defendant temporarily detained pending arraignment and detention hearing set for 9/28/2010 02:00 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen. To order a transcript of this hearing please contact Shelly McDowell, 816-512-5000. (McDowell, Shelly) (Entered: 09/23/2010)
09/23/2010	<u>36</u>	NOTICE <i>Govt's Detention Hearing List of Exhibits</i> by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 09/23/2010)
09/24/2010	<u>37</u>	ORDER granting <u>14</u> motion for detention hearing as to Bradley Cook (2); granting <u>15</u> motion to continue detention hearing as to Bradley Cook (2); setting hearing for 2:00 p.m., 9/28/2010. Signed on 9/24/2010 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 09/24/2010)
09/24/2010		Detention Hearing as to Bradley Cook (2) set for 9/28/2010 02:00 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen. This is a TEXT ONLY ENTRY. No document is attached. (Wilson, Carol) (Entered: 09/24/2010)
09/24/2010	<u>39</u>	ORDER AUTHORIZING TEMPORARY TRANSFER OF CUSTODY ON CONSENT as to Bradley Cook. Signed on 09/23/10 by Magistrate Judge Robert E. Larsen.(McDowell, Shelly) (Entered: 09/24/2010)
09/24/2010		NOTICE OF DOCKET MODIFICATION. Document No. 38, Minute Entry for INITIAL APPEARANCE as to Bradley Cook held on 9/23/2010 before Magistrate Judge Robert E. Larsen filed on 09/23/10 has been deleted. Document was duplicative of Document <u>34</u> . This is a text entry only – no document is attached. (McDowell, Shelly) (Entered: 09/24/2010)
09/28/2010	<u>42</u>	NOTICE <i>of Government's Amended Detention Hearing List of Exhibits</i> by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 09/28/2010)
09/28/2010	43	

		ARREST WARRANT RETURNED EXECUTED on 09/09/2010 as to Bradley Cook. This document contains original signatures of non attorneys and is being maintained in a paper file at the court.(Martin, Jan) (Entered: 09/28/2010)
09/28/2010	<u>47</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: DETENTION HEARING as to Bradley Cook held on 9/28/2010, ARRAIGNMENT as to Bradley Cook (2) Count 1,2,10,11 held on 9/28/2010. Parties stipulate to factual contents of Pretrial Services Report as being the direct testimony of Pretrial Services Officer Tim Hair, with exception(s): PSO Hair reported defendants father was noncommittal regarding signing a bond; defendant states his father is willing and able to assist with bond. Government presents evidence and calls witness(es): Special Agent Samuel Benson. Governments Exhibits 1–21 admitted. Arguments presented. Court takes judicial notice of the statutory presumption against release. Based upon the information presented, the Court grants governments motion to detain and finds reason to believe that no condition or combination of conditions of release would reasonably assure the appearance of the defendant or the safety of any other person or persons and the community. Defendant ordered DETAINED without bail. Written Detention Order to be forthcoming. Defendant remanded to the custody of the U.S. Marshal. ARRAIGNMENT: Defendant entered a plea of not guilty to each count of the indictment applicable to him. Case ordered set for trial on the joint criminal jury trial docket which commences October 25, 2010. Defense shall file any pretrial motions within ten days from this date; government responses due seven days after motion filed. In lieu of a scheduling conference, counsel are to meet within two weeks and submit Proposed Stipulations and Orders to chambers for filing. If parties will not be ready for trial by the scheduled docket, a motion for continuance for a date certain should be filed as soon as possible. The Government is reminded that ECF calculates deadlines under civil rules and those deadlines do not apply to this case. Failure to file a response within 7 days of the filing of the motion, regardless of when ECF says a response is due, may result in the motion being granted as unopposed. To order a transcript of this hearing please contact Lori Carr, 816–512–5064. (Carr, Lori) (Entered: 09/29/2010)
09/28/2010	<u>48</u>	GOVERNMENT'S EXHIBIT INDEX of 9/28/10 detention hearing as to Bradley Cook. (Carr, Lori) (Entered: 09/29/2010)
10/05/2010	<u>51</u>	ELECTRONIC TRANSCRIPT as to Bradley Cook of Detention and Arraignment Hearing held September 28, 2010 before Judge Robert E. Larsen. Court Reporter: Lissa Whittaker, 816–822–3653, rapidtranscript@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 10/15/2010. Release of Transcript Restriction set for 1/4/2011. (Whittaker, Lissa) (Entered: 10/05/2010)
10/06/2010	<u>52</u>	

		ORDER OF DETENTION as to Bradley Cook. Signed on 10/6/2010 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 10/06/2010)
10/07/2010	<u>54</u>	ORDER AUTHORIZING TEMPORARY TRANSFER OF CUSTODY ON CONSENT as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel.. Signed on 10/7/10 by Magistrate Judge Robert E. Larsen.(Myers, Dorothy) (Entered: 10/07/2010)
10/12/2010	<u>56</u>	MOTION to Dismiss <i>Count 10 of Indictment</i> Count(s) by Bradley Cook. Suggestions in opposition/response due by 10/29/2010 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit US Marshal Service Area, # <u>2</u> Exhibit Cook Search Warrant and Receipt)(Sandage, Lance) (Entered: 10/12/2010)
10/12/2010	<u>57</u>	MOTION for extension of time to file <i>pretrial motions (2 week extension requested)</i> by Bradley Cook. Suggestions in opposition/response due by 10/29/2010 unless otherwise directed by the court. (Sandage, Lance) (Entered: 10/12/2010)
10/12/2010	<u>58</u>	MOTION to continue <i>Trial Date</i> by Edward Bagley, Sr as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel. Suggestions in opposition/response due by 10/29/2010 unless otherwise directed by the court. (Dill, Susan) (Entered: 10/12/2010)
10/12/2010	<u>59</u>	ORDER granting motion to continue <u>58</u> as to Edward Bagley Sr. (1), Bradley Cook (2), Dennis Henry (3), James Noel (5); Accelerated Jury Trial set for 3/14/2011; granting <u>57</u> motion for extension of time to file pretrial motions; pretrial motions due by 11/8/2010, responses due by 11/24/2010. Signed on 10/12/2010 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 10/12/2010)
10/13/2010	<u>60</u>	SUGGESTIONS in support by USA as to Bradley Cook re <u>56</u> MOTION to Dismiss <i>Count 10 of Indictment</i> Count(s) (Cordes, Cynthia) (Entered: 10/13/2010)
10/14/2010	<u>61</u>	MOTION for reconsideration of <i>Detention Order</i> by Dennis Henry as Dennis Henry. Suggestions in opposition/response due by 11/1/2010 unless otherwise directed by the court. (Blegen, Christine) Modified on 10/14/2010 to edit the docket text to reflect the document was filed as to Dennis Henry only (Beard, Melanie). (Entered: 10/14/2010)
10/14/2010	<u>62</u>	SUGGESTIONS in support by Dennis Henry <u>61</u> MOTION for reconsideration of <i>Detention Order</i> (Blegen, Christine) Modified on 10/14/2010 to edit the docket text to reflect the document was filed as to Dennis Henry only (Beard, Melanie). (Entered: 10/14/2010)
10/14/2010		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 10/14/10 as Document No. 61 & <u>62</u> , MOTION for reconsideration of Detention Order #61 and SUGGESTIONS in support #62. modified the docket entry to reflect the motion and suggestions in support were filed as to Dennis Henry only. (Related Document <u>61</u> , <u>62</u>) This is a text entry only – no document is attached. (Beard, Melanie) (Entered: 10/14/2010)
10/19/2010	<u>64</u>	MOTION for bond (<i>amend or revoke Magistrate's Detention Order</i>) by

		Bradley Cook. Suggestions in opposition/response due by 11/5/2010 unless otherwise directed by the court. (Sandage, Lance) (Entered: 10/19/2010)
10/20/2010	<u>66</u>	ORDER granting motion to continue 63 as to defendants Edward Bagley, Sr., (1), Bradley Cook (2), Dennis Henry (3), James Noel (5), Accelerated Jury Trial set for 5/23/2011. Signed on 10/19/2010 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 10/20/2010)
10/26/2010	<u>73</u>	ORDER: Status Conference set for 10/28/2010 02:00 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen. Defendants need not be present. Signed on 10/25/2010 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 10/26/2010)
10/27/2010	<u>75</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>64</u> MOTION for bond (<i>amend or revoke Magistrate's Detention Order</i>) . Reply suggestions due by 11/15/2010 unless otherwise directed by the court (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B (RESTRICTED TO CASE PARTICIPANTS))(Cordes, Cynthia) Modified on 10/28/2010 to add # <u>3</u> Attachment C (SEALED). Per counsel a copy of the exhibit was provided to all parties. Attachment B, transcript, has also been restricted to case participants (Jones, Robin). (Entered: 10/27/2010)
10/28/2010	<u>76</u>	ORDER granting oral motion to reset status conference; Status Conference set for 11/10/2010 03:00 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen. Signed on 10/28/2010 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 10/28/2010)
11/10/2010	<u>82</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: STATUS CONFERENCE as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel held on 11/10/2010. Above counsel present in person; Carter Collins Law present telephonically. P. J. OConnor also present. Defendants are not present. Parties ready to proceed on defendants (01) Motion to Declare Case Complex. Discovery issues discussed. Courts exhibit 1 marked for identification. Court to issue Report &Recommendation. To order a transcript of this hearing please contact Joella Baldwin, 816-512-5052. (Attachments: # <u>1</u> Exhibit) (Baldwin, Joella) (Entered: 11/10/2010)
11/15/2010	<u>83</u>	REPLY SUGGESTIONS to motion by Bradley Cook re <u>64</u> MOTION for bond (<i>amend or revoke Magistrate's Detention Order</i>) (Sandage, Lance) (Entered: 11/15/2010)
11/21/2010	<u>85</u>	ELECTRONIC TRANSCRIPT as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel of Status Conference held November 10, 2010 before Judge Robert E. Larsen. Court Reporter: Lissa Whittaker, 816-914-3613, rapidtranscript@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov. Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies during this 90 day period. Notice of Intent to File Redaction of Transcripts due by 12/2/2010. Release of Transcript Restriction set for 2/22/2011. (Whittaker,

		Lissa) (Entered: 11/21/2010)
11/22/2010	<u>86</u>	NOTICE OF ATTORNEY APPEARANCE Paul S. Becker appearing for USA. (Becker, Paul) (Entered: 11/22/2010)
11/30/2010	<u>87</u>	NOTICE OF ATTORNEY APPEARANCE John E. Cowles appearing for USA. (Cowles, John) (Entered: 11/30/2010)
12/10/2010	<u>88</u>	ORDER re <u>61</u> motion for reconsideration as to Dennis Henry (3) and <u>64</u> motion for bond as to Bradley Cook (2). Magistrate Judge Larsen's orders of detention are affirmed. Defendant Henry and Defendant Cook shall continue to be detained without bail. Signed on 12/10/10 by District Judge Dean Whipple. (Francis, Alexandra) (Entered: 12/10/2010)
12/10/2010	<u>90</u>	STIPULATIONS & ORDERS as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel. Signed on 12/10/2010 by Magistrate Judge Robert E. Larsen.(Anderson–Porter, Sue) (Entered: 12/10/2010)
12/13/2010	<u>92</u>	NOTICE OF APPEAL of conditions of release by Bradley Cook as to <u>88</u> Order on Motion for Reconsideration,, Order on Motion for Bond, Filing fee \$ 455, receipt number 0866–2559093. (Sandage, Lance) (Entered: 12/13/2010)
12/14/2010	<u>93</u>	Transmission of Notice of Appeal Supplement to US Court of Appeals, 8th Circuit via electronic mail as to Bradley Cook to US Court of Appeals. Related Document <u>92</u> Notice of Appeal – Conditions of Release. (Crespo, Wil) (Entered: 12/14/2010)
12/14/2010	<u>95</u>	ORDER – It is hereby ORDERED that Defendant's Motion to Dismiss Count Ten of the Indictment for Lack of Venue is GRANTED. Count Ten is hereby DISMISSED WITHOUT PREJUDICE.Signed on 12/14/2010 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 12/14/2010)
12/16/2010	<u>96</u>	USCA Case Number from 8th Circuit Court of Appeals is 10–3774 for <u>92</u> Notice of Appeal – Conditions of Release filed by Bradley Cook as to Bradley Cook. (Crespo, Wil) (Entered: 12/16/2010)
01/19/2011	<u>104</u>	JUDGMENT of USCA as to Bradley Cook re <u>92</u> Notice of Appeal – Conditions of Release This is a preliminary judgment of U.S. Court of Appeals; jurisdiction is not recovered until the mandate is issued by the appellate court. It is ordered by the court that the judgment of the district court is summarily affirmed. (Crespo, Wil) (Entered: 01/19/2011)
03/16/2011	<u>111</u>	MOTION to seal document <i>and order allowing the filing of defense motion under seal</i> by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/16/2011)
03/16/2011	<u>112</u>	MOTION to file out of time <i>pretrial motions (proposed motions not attached)</i> by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/16/2011)
03/17/2011	<u>113</u>	ORDER granting <u>112</u> motion to file out of time as to Bradley Cook (2). Signed on 3/17/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol)

		(Entered: 03/17/2011)
03/17/2011	<u>114</u>	ORDER granting <u>111</u> motion to seal document as to Bradley Cook (2). Signed on 3/17/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 03/17/2011)
03/17/2011	<u>115</u>	MOTION for Order(SEALED) by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>116</u>	MOTION to Dismiss <i>for Breach of Proffer</i> Case by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>117</u>	MOTION to Dismiss <i>count II of the Indictment as Unconstitutionaly Vauge</i> Count(s) by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>118</u>	MOTION to Dismiss <i>for Insufficient Evidence</i> Case by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>119</u>	MOTION for bill of particulars by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>120</u>	MOTION for order for Relief from Detention Conditions by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>121</u>	MOTION for order Disqualify Government Counsel by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>122</u>	MOTION for order Retain Rough Notes by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>123</u>	MOTION to suppress <i>Evidence and Statements</i> by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/17/2011	<u>124</u>	MOTION for order Production of Witness Statements by Bradley Cook. Suggestions in opposition/response due by 4/4/2011 unless otherwise directed by the court. (Sandage, Lance) (Entered: 03/17/2011)
03/18/2011	<u>125</u>	ORDER: Telephone Conference set for 3/21/2011 01:00 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen as to Bradley Cook (2). Signed on 3/18/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 03/18/2011)
03/21/2011	<u>126</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: TELEPHONE CONFERENCE as to Bradley Cook held on 3/21/2011. Government counsel present in the courtroom. Defendant present in the courtroom and defense counsel present by phone. Defense counsel did

		not know that defendant would be present in the courtroom and would like to be present in the courtroom with defendant so the Court resets the hearing for Tuesday, March 22, 2011 at 1:30 p.m. To order a transcript of this hearing please contact Dorothy Myers, 816-512-5059. (Myers, Dorothy) (Entered: 03/21/2011)
03/21/2011	127	NOTICE OF HEARING as to Bradley Cook. This is the official notice for this hearing. Status Conference set for 3/22/2011 01:30 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen.. Signed on 3/21/11 by Magistrate Judge Robert E. Larsen.(Myers, Dorothy) (Entered: 03/21/2011)
03/21/2011	<u>128</u>	MOTION for extension of time to file response/reply by USA as to Bradley Cook. Suggestions in opposition/response due by 4/7/2011 unless otherwise directed by the court. (Cordes, Cynthia) (Entered: 03/21/2011)
03/22/2011	<u>129</u>	ORDER granting <u>128</u> motion for extension of time to file responses as to Bradley Cook (2); responses to all of defendant Cook's motions due by NOON 4/12/2011. Any hearings on any of defendant's pretrial motions will be held on April 14, 2011, commencing at 9:00 a.m. Absent a continuance of the trial setting, no additional time will be granted and the date of the hearings will not be reset. Signed on 3/22/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 03/22/2011)
03/22/2011	<u>130</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: STATUS CONFERENCE as to Bradley Cook held on 3/22/2011. Parties present in person and with counsel regarding defendants allegation (Doc. 120) that he is being denied access to his attorney and currently the government is working on a response. This portion of the hearing is to arrive at an understanding that if problems do arise in the future, how they can be resolved or brought to the courts attention. Court directs attorney to contact Steve Franovich, with the U.S. Marshal Service and let him know the difficulties and if that doesn't resolve it call my law clerk, Carol Wilson, and let her know we need to have a teleconference. To order a transcript of this hearing please contact Lori Carr, 816-512-5064. (Carr, Lori) (Entered: 03/23/2011)
03/25/2011	<u>132</u>	MANDATE of USCA as to Bradley Cook re <u>92</u> Notice of Appeal – Conditions of Release with mandate issued on 3/25/11. (Crespo, Wil) (Entered: 03/25/2011)
03/30/2011	<u>133</u>	SUPERSEDING INDICTMENT as to Edward Bagley, Sr (1) count(s) 1s, 2s, 3s, 4s, 5s, 6s, 7s, 8s, 9s, 10s, 13s, Bradley Cook (2) count(s) 1s, 2s, 13s, 14s, 15s-16s, 17s, 18s, Michael Stokes (4) count(s) 1s, 2s, 11s-12s, 13s, Marilyn Bagley (6) count(s) 1, 2, 3, 5, 13. (Attachments: # <u>1</u> Criminal Cover Sheet Edward Bagley, # <u>2</u> Criminal Cover Sheet Bradley Cook, # <u>3</u> Criminal Cover Sheet Michael Stokes, # <u>4</u> Criminal Cover Sheet Marilyn Bagley) (Wheeler, LaTandra) (Entered: 03/30/2011)
04/01/2011	138	NOTICE OF HEARING as to Edward Bagley, Sr, Bradley Cook, Michael Stokes. This is the official notice for this hearing. Initial Appearance & Arraignment on Superseding Indictment set for Thursday, 4/7/2011 02:30 PM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen. This is a TEXT ONLY ENTRY. No document is

		attached. (Anderson–Porter, Sue) (Entered: 04/01/2011)
04/05/2011	<u>144</u>	NOTICE of change of address by Lance David Sandage (Sandage, Lance) (Entered: 04/05/2011)
04/05/2011	<u>145</u>	SUGGESTIONS in Opposition to Motion (Sealed) by USA as to Bradley Cook re <u>115</u> MOTION for Order(SEALED) . Reply suggestions due by 4/22/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/05/2011)
04/05/2011	<u>146</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>122</u> MOTION for order Retain Rough Notes . Reply suggestions due by 4/22/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/05/2011)
04/05/2011	<u>147</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>124</u> MOTION for order Production of Witness Statements . Reply suggestions due by 4/22/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/05/2011)
04/06/2011	<u>148</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>121</u> MOTION for order Disqualify Government Counsel . Reply suggestions due by 4/25/2011 unless otherwise directed by the court (Attachments: # <u>1</u> Exhibit Law Letter – Attachment)(Cordes, Cynthia) (Entered: 04/06/2011)
04/07/2011	<u>149</u>	ORDER as to Edward Bagley, Sr., Bradley Cook, Michael Stokes, Marilyn Bagley: All pretrial motions due by 4/14/2011, all responses due by 4/21/2011, any evidentiary hearings will be set for 4/25/2011. No additional time will be granted absent a continuance of the trial setting. Signed on 4/7/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 04/07/2011)
04/07/2011	<u>150</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: INITIAL APPEARANCE and ARRAIGNMENT as to Edward Bagley Sr. (1) Count 1s,2s,3s,4s,5s,6s,7s,8s,9s,10s,13s and Bradley Cook (2) Count 1s,2s,13s,14s,15s–16s,17s,18s and Michael Stokes (4) Count 1s,2s,11s–12s,13s held on 4/7/2011. Defendants advised of the charges against them and their rights. Defendants waived reading of the superseding indictment. Defendants will be informed of the maximum punishment for each applicable count of the superseding indictment by counsel. Defendants each entered a plea of not guilty to each count of the superseding indictment applicable to them. Defendants ordered committed back to custody of U.S. Marshal pursuant to previous Detention Order. Case remains set for trial on the joint criminal jury trial docket which commences May 23, 2011. All stipulations, motions, responses, Reports and Recommendations and orders apply to the superseding indictment. To order a transcript of this hearing please contact Shelly McDowell, 816–512–5000. (McDowell, Shelly) (Entered: 04/07/2011)
04/07/2011	<u>151</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>120</u> MOTION for order for Relief from Detention Conditions . Reply suggestions due by 4/25/2011 unless otherwise directed by the court (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B, # <u>3</u> Attachment C, # <u>4</u> Attachment D)(Cordes, Cynthia) (Entered: 04/07/2011)
04/11/2011	<u>152</u>	

		ORDER denying <u>124</u> motion for production of witness statements and reports as to Bradley Cook (2). Signed on 4/8/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 04/11/2011)
04/11/2011	<u>155</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>123</u> MOTION to suppress <i>Evidence and Statements</i> . Reply suggestions due by 4/28/2011 unless otherwise directed by the court (Attachments: # <u>1</u> Notice of Exhibit Attachment)(Cordes, Cynthia) Modified on 4/12/2011 to note two copies of sealed exhibits received; one copy to Chambers, one copy to Records. (Moore, Terri) (Entered: 04/11/2011)
04/12/2011	<u>156</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>117</u> MOTION to Dismiss <i>count II of the Indictment as Unconstitutionaly Vauge Count(s)</i> . Reply suggestions due by 4/29/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/12/2011)
04/12/2011	<u>157</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>118</u> MOTION to Dismiss <i>for Insufficient Evidence</i> Case . Reply suggestions due by 4/29/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/12/2011)
04/12/2011	<u>158</u>	ORDER as to Bradley Cook re: hearing at 9:00 a.m., 4/14/2011, will cover the following motions: 116, 120, 121, 123. Signed on 4/12/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 04/12/2011)
04/12/2011	<u>159</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>119</u> MOTION for bill of particulars . Reply suggestions due by 4/29/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 04/12/2011)
04/12/2011	<u>160</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>116</u> MOTION to Dismiss <i>for Breach of Proffer</i> Case . Reply suggestions due by 4/29/2011 unless otherwise directed by the court (Attachments: # <u>1</u> Notice of Exhibit Attachment A, # <u>2</u> Attachment B, # <u>3</u> Notice of Exhibit Attachment C)(Cordes, Cynthia) Modified on 4/14/2011 to reflect that the Court received two copies of the Notice Regarding Exhibit Attachment and accompanying exhibits "A" and "C" under seal in paper form only (Wheeler, LaTandra). (Entered: 04/12/2011)
04/13/2011	<u>162</u>	PROPOSED EXHIBIT LIST by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 04/13/2011)
04/13/2011	<u>163</u>	PROPOSED WITNESS LIST by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 04/13/2011)
04/14/2011	<u>165</u>	LETTER from Inmate at CCA as to Bradley Cook. (Wilson, Carol) (Entered: 04/14/2011)
04/14/2011	<u>177</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: EVIDENTIARY HEARING as to Bradley Cook held on 4/14/2011. Parties present in person and with counsel ready to proceed with hearing on defendant's various motions; Doc #116 – Motion to Dismiss Indictment for Violation of Proffer Agreement; #120 – Request for Relief From Unlawful Confinement Conditions, #121 – Motion to Disqualify Assistant United States Attorney Cynthia Cordes and the United States Attorneys' Office of the Western District of Missouri, #123 – Motion to Suppress Evidence and

		Statements. Plaintiff's Witnesses: Special Agent Sam Benson, FBI & Deputy U.S. Marshal James Davies. Defendant's Witnesses: Major Jason Lawrence, Bates County Jail & L. Randy Forence, Lafayette County Jail. Exhibits Admitted: Plaintiff's #1, 4-31 (Exhibits 6 through 29 are filed under seal). Defendant's A, B, D & E; Court's #1 & 2. Housekeeping Items—Motion to Suppress Parties agree that in considering the motion to suppress, the Court can consider the search warrant which was filed under seal. Defense counsel states that although her motion was titled motion to suppress evidence and statements, there was no statement taken. Motion to Disqualify – Govt. documents #24 through 29 are admitted for this motion. At the close of testimony, the Court advised parties that he will issue a Report and Recommendation to the District Court. Counsel are given until Monday, April 18th to file additional exhibits along with any written arguments. Defense counsel is advised that if they have any additional problems with contacting their client to first contact the U.S. Marshal's Office and if the problem is not remedied to contact Court chambers. Defense counsel advised the Court that additional motions will need to be filed and that they will be asking the Court to file them out of time concerning the Superseding Indictment. The Court also advised that the Motion for Continuance of the Trial is granted. To order a transcript of this hearing please contact Dorothy Myers, 816-512-5059. (Myers, Dorothy) (Entered: 05/03/2011)
04/14/2011	<u>178</u>	COURT'S EXHIBIT INDEX for hearing on 4/14/11 as to Bradley Cook. (Myers, Dorothy) (Entered: 05/03/2011)
04/14/2011	<u>179</u>	GOVERNMENT'S EXHIBIT INDEX for hearing on 4/14/11 as to Bradley Cook. (Myers, Dorothy) (Entered: 05/03/2011)
04/14/2011	<u>180</u>	DEFENDANT'S EXHIBIT INDEX for hearing on 4/14/11 as to Bradley Cook. (Myers, Dorothy) (Entered: 05/03/2011)
04/18/2011	<u>166</u>	MOTION for extension of time to file <i>Replies to Government's Responses to Pretrial Motions and to File any New Motions Relative to the Superseding Indictment</i> by Bradley Cook. Suggestions in opposition/response due by 5/5/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 04/18/2011)
04/18/2011	<u>167</u>	NOTICE of Offered Clarification to Defendant Cook's Pretrial Hearing Regarding the Proffer Agreement by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 04/18/2011)
04/19/2011	<u>168</u>	ORDER as to Edward Bagley, Sr, Bradley Cook, Michael Stokes, Marilyn Bagley directing any party who objects to a January 2012 trial setting to file written objections by 4/21/2011. Signed on 4/19/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 04/19/2011)
04/19/2011	<u>169</u>	ORDER denying <u>166</u> motion for extension of time to file replies as to Bradley Cook (2). Signed on 4/18/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 04/19/2011)
04/19/2011	<u>170</u>	ELECTRONIC TRANSCRIPT as to Bradley Cook of Suppression Hearing and Other Pending Motions held April 14, 2011 before Judge Robert E. Larsen. Court Reporter: Lissa Whittaker, 816-914-3613, rapidtranscript@kc.rr.com. NOTICE RE: REDACTION OF TRANSCRIPTS: Within 7 calendar days of this filing, each party shall

		inform the Court, by filing a Notice of Redaction, of the parties' intent to redact personal data identifiers from the electronic transcript of the court proceeding. The policy is located on our website at www.mow.uscourts.gov . Please read this policy carefully. NOTICE: Attorneys must contact the court reporter for copies. This transcript will be released 90 days after the termination of the case. Notice of Intent to File Redaction of Transcripts due by 4/28/2011. (Whittaker, Lissa) (Entered: 04/19/2011)
04/20/2011	<u>171</u>	ORDER as to Bradley Cook directing government to file supplemental response to <u>121</u> MOTION for order Disqualify Government Counsel by April 25, 2011. Signed on 4/19/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 04/20/2011)
04/21/2011	<u>173</u>	ORDER granting motion to continue 154 as to defendants Edward Bagley, Sr. (1), Bradley Cook (2), Michael Stokes (4), Marilyn Bagley (6). Accelerated Jury Trial set for 2/13/2012, pretrial motions due 7/1/2011, responses due 7/29/2011. Signed on 4/21/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 04/21/2011)
04/25/2011	<u>176</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>121</u> MOTION for order Disqualify Government Counsel . Reply suggestions due by 5/12/2011 unless otherwise directed by the court (Attachments: # <u>1</u> Declaration)(Becker, Paul) (Entered: 04/25/2011)
06/03/2011	<u>183</u>	ORDER denying <u>122</u> motion for order requiring federal agents to retain rough notes as to Bradley Cook (2). Signed on 6/3/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 06/03/2011)
07/01/2011	<u>186</u>	First MOTION for extension of time to file <i>Pretrial Motions</i> by Bradley Cook. Suggestions in opposition/response due by 7/18/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 07/01/2011)
07/06/2011	<u>187</u>	ORDER granting <u>186</u> motion for extension of time to file pretrial motions as to Bradley Cook (2). Pretrial motions due 8/1/2011; responses due 8/15/2011. Signed on 7/6/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 07/06/2011)
07/07/2011	<u>188</u>	ORDER denying <u>119</u> motion for bill of particulars as to Bradley Cook (2). Signed on 7/7/11 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 07/07/2011)
07/11/2011	<u>189</u>	MOTION for bond to <i>Reopen Detention Hearing on the Basis of Newly Discovered Evidence</i> by Bradley Cook. Suggestions in opposition/response due by 7/28/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 07/11/2011)
07/11/2011	<u>190</u>	MOTION for leave to file <i>exhibits in support of Motion to Reopen Detention Hearing Under Seal</i> by Bradley Cook. Suggestions in opposition/response due by 7/28/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 07/11/2011)
07/11/2011	<u>191</u>	ORDER granting <u>190</u> motion for leave to file as to Bradley Cook (2). Signed on 07/11/11 by Magistrate Judge Robert E. Larsen. (Suroff, Rebecca) (Entered: 07/11/2011)
07/14/2011	<u>192</u>	

		MOTION for extension of time to file response/reply as to <u>189</u> MOTION for bond to <i>Reopen Detention Hearing on the Basis of Newly Discovered Evidence</i> by USA as to Bradley Cook. Suggestions in opposition/response due by 8/1/2011 unless otherwise directed by the court. (Cowles, John) (Entered: 07/14/2011)
07/15/2011	<u>194</u>	SUGGESTIONS in opposition by Bradley Cook re <u>192</u> MOTION for extension of time to file response/reply as to <u>189</u> MOTION for bond to <i>Reopen Detention Hearing on the Basis of Newly Discovered Evidence</i> . Reply suggestions due by 8/1/2011 unless otherwise directed by the court (Law, Carter) (Entered: 07/15/2011)
07/18/2011	<u>195</u>	ORDER granting <u>192</u> motion for extension of time to file response as to Bradley Cook (2); Suggestions in opposition/response due by 7/22/2011. Signed on 7/18/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 07/18/2011)
07/21/2011	<u>196</u>	ORDER–It is ORDERED that a hearing shall be held on Monday, August 1, 2011, commencing at 9:30 a.m. in Courtroom #8B of the United States Courthouse at 400 E. 9th Street in Kansas City, Missouri. See the attached Order for details.. Signed on 07/21/2011 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 07/21/2011)
07/22/2011	<u>197</u>	AMENDED ORDER – It is hereby ORDERED that a hearing shall be held on THURSDAY, AUGUST 4, 2011, commencing at 9:30 a.m. in Courtroom #8B of the United States Courthouse at 400 E. 9th Street in Kansas City, Missouri. See the attached AMENDED Order for details. Signed on 07/22/2011 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 07/22/2011)
07/22/2011	<u>198</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>189</u> MOTION for bond to <i>Reopen Detention Hearing on the Basis of Newly Discovered Evidence</i> . Reply suggestions due by 8/8/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 07/22/2011)
07/28/2011	<u>202</u>	ORDER denying <u>189</u> motion for bond or to reopen detention hearing as to Bradley Cook (2). Signed on 7/28/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 07/28/2011)
08/01/2011	<u>203</u>	MOTION for extension of time to file <i>pretrial motions</i> by Bradley Cook. Suggestions in opposition/response due by 8/18/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 08/01/2011)
08/02/2011	<u>204</u>	ORDER granting <u>203</u> motion for one–day extension of time to file as to Bradley Cook (2). Signed on 8/2/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 08/02/2011)
08/02/2011	<u>205</u>	MOTION for bill of particulars <i>Relative to Counts in Superseding Indictment</i> by Bradley Cook. Suggestions in opposition/response due by 8/19/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 08/02/2011)
08/02/2011	<u>206</u>	MOTION for release of Brady materials and <i>Giglio Materials</i> by Bradley Cook. Suggestions in opposition/response due by 8/19/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 08/02/2011)

08/02/2011	<u>207</u>	MOTION to exclude <i>Cooperating Witness Testimony and to Request Reliability Hearing</i> by Bradley Cook. Suggestions in opposition/response due by 8/19/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 08/02/2011)
08/02/2011	<u>208</u>	MOTION for extension of time to file <i>Additional Pretrial Motions</i> by Bradley Cook. Suggestions in opposition/response due by 8/19/2011 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit A)(Law, Carter) (Entered: 08/02/2011)
08/03/2011	<u>209</u>	ORDER denying <u>208</u> motion for extension of time to file as to Bradley Cook (2). Signed on 8/3/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 08/03/2011)
08/03/2011	<u>210</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>206</u> MOTION for release of Brady materials and <i>Giglio Materials</i> . Reply suggestions due by 8/22/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 08/03/2011)
08/04/2011	<u>211</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>205</u> MOTION for bill of particulars <i>Relative to Counts in Superseding Indictment</i> . Reply suggestions due by 8/22/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 08/04/2011)
08/09/2011	<u>213</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>207</u> MOTION to exclude <i>Cooperating Witness Testimony and to Request Reliability Hearing</i> . Reply suggestions due by 8/26/2011 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 08/09/2011)
11/04/2011	<u>219</u>	REPORT AND RECOMMENDATIONS as to Bradley Cook re <u>118</u> MOTION to Dismiss <i>for Insufficient Evidence</i> . Objections to RRdue by 11/18/2011. Signed on 11/4/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 11/04/2011)
11/15/2011	<u>223</u>	MOTION to seal document by Bradley Cook. Suggestions in opposition/response due by 12/2/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 11/15/2011)
11/16/2011	<u>224</u>	ORDER granting <u>223</u> motion to seal document as to Bradley Cook (2). Signed on 11/16/11 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 11/16/2011)
11/17/2011	<u>225</u>	ORDER denying <u>205</u> motion for bill of particulars as to Bradley Cook (2). Signed on 11/17/11 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 11/17/2011)
11/18/2011	<u>228</u>	MOTION for extension of time to file <i>Objections to Magistrate Court's Report and Recommendation</i> by Bradley Cook. Suggestions in opposition/response due by 12/5/2011 unless otherwise directed by the court. (Law, Carter) (Entered: 11/18/2011)
11/23/2011	<u>232</u>	ORDER It is hereby ORDERED that Defendant Cook's Motion for Extension of Time to File Objections to the Magistrate Judges Report and Recommendation (Doc. 228) is GRANTED. Signed on 11/23/2011 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 11/23/2011)

11/28/2011	<u>233</u>	ORDER denying <u>206</u> motion for release of Brady materials as to Bradley Cook (2). Signed on 11/28/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 11/28/2011)
11/28/2011	<u>235</u>	REPORT AND RECOMMENDATIONS as to Bradley Cook re <u>123</u> MOTION to suppress <i>Evidence</i> . Objections to RRdue by 12/12/2011. Signed on 11/28/2011 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 11/28/2011)
11/30/2011	<u>244</u>	ORDER granting in part and denying in part <u>121</u> motion to disqualify U.S. Attorney's Office for the W.D.Mo., motion to disqualify AUSA Cynthia Cordes, and/or motion to suppress evidence of murder-for-hire plot against AUSA Cordes as to Bradley Cook (2). Signed on 11/30/2011 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 11/30/2011)
11/30/2011	<u>245</u>	NOTICE of filing <i>Government's Response to Court Order Regarding Defendant's Motion to Disqualify AUSA</i> by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 11/30/2011)
12/13/2011	251	NOTICE OF HEARING This is the official notice for this hearing. CHANGE OF PLEA HEARING as to DEFENDANT BRADLEY COOK is set for Tuesday, 12/20/2011 at 9:15 AM in Courtroom 8B, Kansas City, before District Judge Dean Whipple. Signed on 12/13/2011 by District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Willis, Kathy) Modified on 12/13/2011 (Willis, Kathy). (Entered: 12/13/2011)
12/20/2011	<u>254</u>	Minute Entry for proceedings held before District Judge Dean Whipple: CHANGE OF PLEA HEARING as to Bradley Cook held on 12/20/2011, Plea entered by Bradley Cook (2) Guilty Count 2s.. To order a transcript of this hearing please contact Denna Lamken, 816-512-5622. (Diefenbach, Tracy) (Entered: 12/20/2011)
12/20/2011	<u>255</u>	PLEA AGREEMENT as to Bradley Cook (Cordes, Cynthia) (Entered: 12/20/2011)
01/04/2012		NOTICE OF DOCKET MODIFICATION. A modification has been made to the document filed on 1/3/2012 as Document No. 264, Motion for Order. The docket text has been corrected to reflect the pleading's actual title and the unnecessary response deadline was terminated. This is a text entry only – no document is attached. (Melvin, Greg) (Entered: 01/04/2012)
04/19/2012	<u>294</u>	MOTION for extension of time to file objections to Presentence Investigation Report by USA as to Bradley Cook. Suggestions in opposition/response due by 5/7/2012 unless otherwise directed by the court. (Cowles, John) (Entered: 04/19/2012)
04/23/2012	<u>297</u>	MOTION for extension of time to file <i>objections to the presentence report</i> by Bradley Cook. Suggestions in opposition/response due by 5/10/2012 unless otherwise directed by the court. (Law, Carter) (Entered: 04/23/2012)
04/24/2012	<u>298</u>	ORDER – It is hereby ORDERED that the Governments Motions for Extension of Time to File Objections to Presentence Report (Docs. <u>294</u> , <u>295</u>) are DENIED.Signed on 04/24/2012 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 04/24/2012)

04/27/2012	<u>300</u>	ORDER – It is hereby ORDERED that the Defendants Motion for Extension of Time to File Objections to Presentence Report (Doc. 297) is DENIED. Signed on 04/27/2012 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 04/27/2012)
06/12/2012	<u>304</u>	MOTION for order Set Sentencing Hearing or, in the Alternative, to Remove Overly Restrictive Conditions of Local Detention by Bradley Cook. Suggestions in opposition/response due by 6/29/2012 unless otherwise directed by the court. (Law, Carter) (Entered: 06/12/2012)
06/19/2012	<u>307</u>	ORDER – It is hereby ORDERED that this case is reset for a jury trial commencing Tuesday, October 9, 2012. Signed on 06/19/2012 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 06/19/2012)
07/24/2012	312	ORDER – It is hereby ORDERED that within fourteen (14) days from the date of this Order, the Government shall file a substantive response to the Motion of Defendant Edward Bagley, Sr. for Authorization of Funds to Retain Expert Witness (Doc. 310). Signed on 07/24/2012 by District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Willis, Kathy) (Entered: 07/24/2012)
08/22/2012	<u>321</u>	ORDER directing Magistrate Judge to conduct status of discovery hearing as to Edward Bagley and Marilyn Bagley.Signed on 08/22/2012 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 08/22/2012)
10/11/2012	<u>347</u>	ORDER as to Bradley Cook – Evidentiary Hearing set for 10/24/12 at 9:30 AM in Courtroom 6D, Kansas City (REL) before Magistrate Judge Robert E. Larsen re: <u>304</u> . The Government shall present evidence on Defendant's solitary confinement. Signed on 10/11/12 by Magistrate Judge Robert E. Larsen.(Suroff, Rebecca) (Entered: 10/11/2012)
10/19/2012	<u>354</u>	ORDER – It is hereby ORDERED that within ten (10) days from the date of this Order, the Government shall file a response to Defendant Edward Bagley's Motion for Authorization of Funds to Retain Expert Witness (Doc. 353). See the attached Order for details. Signed on 10/19/2012 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 10/19/2012)
10/24/2012	<u>360</u>	Minute Entry for proceedings held before Magistrate Judge Robert E. Larsen: EVIDENTIARY HEARING as to Bradley Cook held on 10/24/2012. Parties present in person and with counsel regarding defendant's Motion to Set Sentencing Hearing or, in the Alternative, to Remove Overly Restrictive Conditions of Local Detention (Doc. No. <u>304</u>). Direct, cross, and redirect conducted of U.S. Marshal James Davies regarding the reasons for defendant's placement in administrative segregation. Defense counsel requests and the Court agrees to take judicial notice of the Plea Agreement filed in this case. Arguments presented by both sides. Matter taken under advisement. Regarding the issue of defendant's current medical condition, the Court directs that Marshal Davies get with government counsel and defense counsel in an effort to resolve defendant's staff infection. Medical records should be reviewed and, if needed, defendant should be examined by a doctor, to resolve the issue. A report should be prepared and submitted to the Court with a targeted due date of two weeks. To order a transcript of this hearing please contact Terri Moore, 816–512–5054. (Moore, Terri) (Entered: 10/24/2012)

10/25/2012	<u>362</u>	ORDER – It is ORDERED that Defendant Edward Bagley file any challenges to the report and expected testimony of Dr. Dietz by NOVEMBER 5, 2012. It is further ORDERED that the government file a response to said motion by NOVEMBER 15, 2012. Signed on 10/25/2012 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 10/25/2012)
10/27/2012	<u>364</u>	ORDER denying <u>304</u> motion to alter conditions of confinement as to Bradley Cook (2). Signed on 10/26/12 by Magistrate Judge Robert E. Larsen. (Wilson, Carol) (Entered: 10/27/2012)
11/19/2012	<u>376</u>	ORDER as to Bradley Cook sealing medical records as exhibits to <u>360</u> Minute Entry of Evidentiary Hearing. Signed on 11/19/12 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Sealed attachments added on 11/19/2012: # <u>1</u> (Exhibit 1 – Sealed), # <u>2</u> (Exhibit 2 – Sealed), # <u>3</u> (Exhibit 3 – Sealed)) (Jones, Robin). (Entered: 11/19/2012)
12/31/2012	<u>392</u>	NOTICE of change of address by Lance David Sandage (Sandage, Lance) (Entered: 12/31/2012)
01/29/2013	<u>398</u>	MOTION for protective order by USA as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel, Marilyn Bagley. Suggestions in opposition/response due by 2/15/2013 unless otherwise directed by the court. (Attachments: # 1 A)(Cordes, Cynthia) Modified on 1/30/2013 to remove the proposed order (McDowell, Shelly). (Entered: 01/29/2013)
02/01/2013	<u>399</u>	ORDER – It is hereby ORDERED that the Governments Motion for a Protective Order Requiring the Return of its Discovery Materials (Doc. <u>398</u>) is GRANTED. See the attached Protective Order. Signed on 02/01/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 02/01/2013)
02/06/2013	<u>400</u>	MOTION for reconsideration of <i>Court's 2/1/13 Order Granting Government's Motion for Protective Order</i> by Bradley Cook. Suggestions in opposition/response due by 2/25/2013 unless otherwise directed by the court. (Law, Carter) (Entered: 02/06/2013)
02/25/2013	<u>401</u>	MOTION for extension of time to file response reply as to <u>400</u> MOTION for reconsideration of <i>Court's 2/1/13 Order Granting Government's Motion for Protective Order</i> by USA as to Bradley Cook. Suggestions in opposition/response due by 3/14/2013 unless otherwise directed by the court. (Cordes, Cynthia) (Entered: 02/25/2013)
02/25/2013	402	ORDER It is hereby ORDERED that the Government's Motion for Enlargement of Time (Doc. <u>401</u>) is GRANTED. The Government shall file its response to Defendant Bradley Cook's Motion to Reconsider on or before March 4, 2013. Signed on 02/25/2013 by District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Willis, Kathy) (Entered: 02/25/2013)
03/04/2013	<u>403</u>	SUGGESTIONS in opposition by USA as to Bradley Cook re <u>400</u> MOTION for reconsideration of <i>Court's 2/1/13 Order Granting Government's Motion for Protective Order</i> . Reply suggestions due by 3/21/2013 unless otherwise directed by the court (Cordes, Cynthia) (Entered: 03/04/2013)
03/29/2013	<u>404</u>	ORDER – It is hereby ORDERED that the Defendant Bradley Cooks

		Motion to Reconsider Governments Motion for a Protective Order (Doc. 400) is DENIED.Signed on 03/29/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 03/29/2013)
05/06/2013	407	REPORT AND RECOMMENDATIONS as to Bradley Cook re 117 MOTION to Dismiss <i>count II of the Indictment as Unconstitutionaly Vauge</i> . Objections to RRdue by 5/20/2013. Signed on 5/6/13 by Magistrate Judge Robert E. Larsen.(Wilson, Carol) (Entered: 05/06/2013)
05/20/2013	412	OBJECTION TO REPORT AND RECOMMENDATIONS 407 by Bradley Cook (Law, Carter) (Entered: 05/20/2013)
05/28/2013	413	RESPONSE TO OBJECTIONS by USA as to Bradley Cook (Cordes, Cynthia) (Entered: 05/28/2013)
06/17/2013	416	ORDER – It is hereby ORDERED that the Court ADOPTS the Magistrates Report and Recommendation (Doc. 407), and DENIES the Defendants Motion to Dismiss Count II of the Indictment as Unconstitutionally Vague (Doc. 117).Signed on 06/17/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 06/17/2013)
06/17/2013	417	ORDER – It is hereby ORDERED that the Court ADOPTS the Magistrates Report and Recommendation (Doc. 235), and DENIES the Defendant Bradley Cooks Motion to Suppress Evidence (Doc. 123).Signed on 06/17/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 06/17/2013)
06/17/2013	418	ORDER – It is hereby ORDERED that the Court ADOPTS the Magistrates Report and Recommendation (Doc. 219), and DENIES the Defendant Bradley Cooks Motion to Dismiss Indictment (Doc. 118). Signed on 06/17/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 06/17/2013)
07/10/2013	427	NOTICE OF HEARING as to Bradley Cook. This is the official notice for this hearing. Sentencing set for 9/11/2013 at 10:00 AM in Courtroom 8B, Kansas City (DW) before District Judge Dean Whipple. Signed on July 10, 2013 by District Judge Dean Whipple. This is a TEXT ONLY ENTRY. No document is attached. (Moore, Terri) (Entered: 07/10/2013)
08/21/2013	436	MOTION for forfeiture of property <i>for a Preliminary Order of Forfeiture</i> by USA as to Bradley Cook. Suggestions in opposition/response due by 9/9/2013 unless otherwise directed by the court. (Cordes, Cynthia) (Entered: 08/21/2013)
09/05/2013	439	SENTENCING MEMORANDUM by USA as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel, Marilyn Bagley (Attachments: # 1 Attachment A, # 2 Attachment D)(Cordes, Cynthia) (Additional attachment(s) added on 9/5/2013: # 3 Attachment B (SEALED), # 4 Attachment C (SEALED), # 5 Attachment E (SEALED)) (Jones, Robin). (Entered: 09/05/2013)
09/05/2013	440	MOTION for leave to file <i>out of time Objections to the Restitution Amount in the Presentence Report</i> by Bradley Cook. Suggestions in opposition/response due by 9/23/2013 unless otherwise directed by the court. (Attachments: # 1 Exhibit Proposed Objection to Restitution)(Law,

			Carter) (Entered: 09/05/2013)
09/06/2013	<u>441</u>		MOTION to seal document <u>440</u> MOTION for leave to file <i>out of time Objections to the Restitution Amount in the Presentence Report</i> by Bradley Cook. Suggestions in opposition/response due by 9/23/2013 unless otherwise directed by the court. (Law, Carter) (Entered: 09/06/2013)
09/09/2013	<u>443</u>		ORDER – It is hereby ORDERED that the Defendant Bradley Cooks Motion for Leave to File Objections to the Restitution Suggested in the Presentence Report Out of Time (Doc. <u>440</u>), and Motion for Leave to File Objections to the Restitution Suggested in the Presentence Report Under Seal (Doc. <u>441</u>) are GRANTED. See the attached Order. Signed on 09/09/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 09/09/2013)
09/10/2013	<u>444</u>		NOTICE of filing <i>Notice of Joint Agreement and Settlement Regarding Restitution</i> by USA as to Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel, Marilyn Bagley (Cordes, Cynthia) (Entered: 09/10/2013)
09/10/2013	<u>445</u>		ORDER – It is hereby ORDERED that the Clerk of Court shall accept \$123,041.66 via FedWire to be applied to the restitution to be ordered to be paid by Defendant Bradley Cook in this case. The Clerk of Court shall retain the funds until further order of the Court. Signed on 09/10/2013 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 09/10/2013)
09/11/2013	<u>446</u>		ORDER – It is hereby ORDERED that the Motion of the United States for a Preliminary Order of Forfeiture, With Supporting Suggestions (Doc. <u>436</u>) is GRANTED as to Defendant Bradley Cook. Signed on 09/11/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 09/11/2013)
09/11/2013	<u>449</u>		Minute Entry for proceedings held before District Judge Dean Whipple: SENTENCING held on 9/11/2013 for Bradley Cook (2) Count 2 of the Superseding Indictment. To order a transcript of this hearing please contact Denna Lamken, 816–512–5622. (Francis, Alexandra) (Entered: 09/18/2013)
09/11/2013	<u>450</u>		Minute Entry for proceedings held before District Judge Dean Whipple: SENTENCING (continuation) held on 9/11/2013 for Bradley Cook (2). To order a transcript of this hearing please contact Denna Lamken, 816–512–5622. (Francis, Alexandra) (Entered: 09/18/2013)
09/19/2013	<u>455</u>		RESTITUTION JUDGMENT as to Defendants Edward Bagley, Sr, Bradley Cook, Dennis Henry, Michael Stokes, James Noel, and Marilyn Bagley. Signed on 09/19/2013 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 09/19/2013)
09/23/2013	<u>456</u>	25	JUDGMENT and COMMITMENT as to Bradley Cook (2), Count(s) 2s. The defendant pleaded guilty to Count 2 on 12/20/2011 of the Superseding Indictment. IMPRISONMENT: The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 240 Months. The Court recommends to the Bureau of Prisons: That the defendant be considered for placement in Greenville, IL, to be close to his parents. That the defendant be considered for the 500–hour residential drug abuse program (RDAP). The defendant is remanded to the custody of the United States Marshal. SUPERVISED RELEASE: Upon release from

			imprisonment, the defendant shall be on supervised release for a term of Life. STANDARD AND SPECIAL CONDITIONS OF RELEASE IMPOSED. CRIMINAL MONETARY PENALTIES: MSA: \$100.00. Restitution: \$123,041.66 (Defendant deposited his due amount of \$123,041.66 with the Clerk of the Court, and the Court finds that his due amount has been paid in full.) Release of Transcript Restriction set for 12/23/2013. Signed on September 23, 2013 by District Judge Dean Whipple.(Moore, Terri) (Entered: 09/24/2013)
09/24/2013	<u>459</u>		MOTION for leave to appeal <i>in forma pauperis</i> by Bradley Cook. Suggestions in opposition/response due by 10/11/2013 unless otherwise directed by the court. (Attachments: # <u>1</u> Exhibit Financial Affidavit, # <u>2</u> Exhibit Notice of Appeal)(Law, Carter) (Entered: 09/24/2013)
09/25/2013	<u>460</u>	31	NOTICE OF APPEAL by Bradley Cook Filing fee \$ 455, receipt number pauperispending. (Sandage, Lance) (Entered: 09/25/2013)
09/27/2013	<u>465</u>		NOTICE OF ATTORNEY APPEARANCE Teresa A. Moore appearing for USA. (Moore, Teresa) (Entered: 09/27/2013)
09/27/2013	<u>467</u>		MOTION to Dismiss <i>all counts in the original indictment and Counts 1, 13–18 of the superseding indictment</i> Count(s) by USA as to Bradley Cook. Suggestions in opposition/response due by 10/15/2013 unless otherwise directed by the court. (Becker, Paul) (Entered: 09/27/2013)
10/04/2013	<u>477</u>		ORDER TO SHOW CAUSE within fourteen (14) days from the date of this Order, the Defendant Bradley Cook shall explain how an appeal would not be futile and would be taken in good faith. Signed on 10/04/2013 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 10/04/2013)
10/17/2013	<u>487</u>		RESPONSE TO ORDER TO SHOW CAUSE by Bradley Cook (Law, Carter) (Entered: 10/17/2013)
10/18/2013	<u>489</u>	33	ORDER granting the Government's Motion to Dismiss Counts of Indictment (Doc. <u>467</u>). All counts in the original Indictment, and Counts 1, 3–18 of the Superseding Indictment are DISMISSED as to Defendant Bradley Cook.Signed on 10/18/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 10/18/2013)
10/21/2013	<u>491</u>	34	AMENDED/CORRECTED ORDER granting the Government's Motion to Dismiss Counts of Indictment (Doc. <u>467</u>). All counts in the original Indictment, and Counts 1, 13–18 of the Superseding Indictment are DISMISSED as to Defendant Bradley Cook. Signed on 10/21/2013 by District Judge Dean Whipple.(Willis, Kathy) (Entered: 10/21/2013)
10/22/2013	<u>492</u>	35	ORDER denying Defendant Cook's Motion for Leave to Appeal In Forma Pauperis (Doc. <u>459</u>). Signed on 10/22/2013 by District Judge Dean Whipple. (Willis, Kathy) (Entered: 10/22/2013)
10/22/2013	<u>493</u>	38	Transmission of Notice of Appeal Supplement to US Court of Appeals, 8th Circuit via electronic mail as to Bradley Cook to US Court of Appeals. Related Document <u>460</u> Notice of Appeal – Final Judgment. (Crespo, Wil) (Entered: 10/22/2013)

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

ORDER

Before the Court is Magistrate Judge Robert E. Larsen's Report and Recommendation (Doc. 407) to Deny Defendant Bradley Cook's (the "Defendant") Motion to Dismiss Count II of the Indictment as Unconstitutionally Vague as Interpreted and Applied by the Government (Doc. 117). The Defendant filed Objections to the Report and Recommendation (Doc. 412), and the Government filed a Response (Doc. 413). After an independent review of the record, the applicable law and the parties' arguments, the Court ADOPTS the Magistrate's Report and Recommendation (Doc. 407). Accordingly, the Court ORDERS that the Magistrate's Report and Recommendation (Doc. 407) be attached to and made a part of this Order, and DENIES the Defendant's Motion to Dismiss Count II of the Indictment as Unconstitutionally Vague as Interpreted and Applied by the Government (Doc. 117).

Date: June 17, 2013

/s/ Dean Whipple
Dean Whipple
United States District Judge

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA

-vs-

Case No.: 10-00244-02-CR-W-DW

BRADLEY COOK

USM Number: 37941-044

Carter Collins Law, Retained

JUDGMENT IN A CRIMINAL CASE

The defendant pleaded guilty to Count 2 on 12/20/2011 of the Superseding Indictment. Accordingly, the court has adjudicated that the defendant is guilty of the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Number(s)</u>
18 U.S.C. 1591(a) and (b)(1), 1594 and 2	Commercial Sex Trafficking by Force, Fraud & Coercion	2/27/2009	2

The defendant is sentenced as provided in the following pages of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Date of Imposition of Sentence: 9/11/2013

/s/ Dean Whipple
DEAN WHIPPLE
UNITED STATES DISTRICT JUDGE

September 23, 2013

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of **240 Months**.

The Court recommends to the Bureau of Prisons:

That the defendant be considered for placement in Greenville, IL, to be close to his parents.

That the defendant be considered for the 500-hour residential drug abuse program (RDAP).

The defendant is remanded to the custody of the United States Marshal.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____
at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By: _____
Deputy U.S. Marshal

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of **Life**.

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The defendant shall cooperate in the collection of DNA as directed by the probation officer.

The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the Probation Officer.

If this judgment imposes a fine or restitution, it is a condition of supervision that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

1. The defendant shall not leave the judicial district without the permission of the court or probation officer;
2. The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer;
3. The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
4. The defendant shall support his or her dependents and meet other family responsibilities;
5. The defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
6. The defendant shall notify the probation officer **at least ten (10) days prior** to any change in residence or employment;
7. The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
8. The defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
9. The defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;

10. The defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
11. The defendant shall notify the probation officer within **seventy-two (72) hours** of being arrested or questioned by a law enforcement officer;
12. The defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
13. As directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

SPECIAL CONDITIONS OF SUPERVISED RELEASE

The defendant shall also comply with the following special conditions of supervised release:

1. Provide the Probation Office with access to any requested financial information.
2. Not incur new credit charges or open additional lines of credit without the approval of the Probation Office, while court-ordered financial obligations are outstanding.
3. Successfully participate in any substance abuse testing program, which may include urinalysis, sweat patch, or Breathalyzer testing, as approved by the Probation Office, and pay any associated costs as directed by the Probation Office.
4. The defendant shall submit his person and any property, house, residence, office, vehicle, papers, computer, other electronic communication or data storage devices or media and effects to a search, conducted by a U.S. Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release; failure to submit to a search may be grounds for revocation; the defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.
5. The defendant shall successfully participate in a program of sex offender counseling, which may include the submission to polygraph testing to assist in treatment planning and/or monitoring, as directed by the Probation Office. The defendant shall also pay any associated costs as directed by the Probation Office.
6. The defendant will not have contact with the victim or the government officials involved in the investigation and prosecution of this case, to include any physical, visual, written, telephonic or electronic contact with such person. Additionally, the defendant shall not directly or indirectly cause or encourage anyone else to have such contact with such person.
7. The defendant shall comply with all state and federal sex offender registration requirements.
8. The defendant shall comply with the Western District of Missouri Offender Employment Guideline which may include participation in training, counseling, and/or daily job searching as directed by the probation officer. If not in compliance with the condition of supervision requiring full-time employment at a lawful occupation, the defendant may be required to perform up to 20 hours of community service per week until employed, as approved or directed by the probation officer.
9. While on supervision, defendant shall be at his place of residence between the hours of 10:00 p.m. and 6:00 a.m., 7 days per week, unless his work schedule requires him to be at work past 10:00 p.m. If defendant works beyond 10:00 p.m., he shall be at his place of residence within 30 minutes after his work day is complete.

ACKNOWLEDGMENT OF CONDITIONS

I have read or have read the conditions of supervision set forth in this judgment and I fully understand them. I have been provided a copy of them.

I understand that upon finding of a violation of probation or supervised release, the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

Defendant

Date

United States Probation Officer

Date

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments set forth in the Schedule of Payments.

<u>Total Assessment</u>	<u>Total Fine</u>	<u>*Total Restitution</u>
\$100.00	\$	\$123,041.66

A lump sum payment of the full amount of \$123,041.66 is ordered due immediately. **Defendant Bradley Cook has deposited his due amount of \$123,041.66 with the Clerk of the Court, and the Court finds that his due amount has been paid in full.**

Note: Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

* See separate Restitution Judgment for further details

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI**

NOTICE OF APPEAL

United States of America
Plaintiff

BRADLEY J. COOK

4:10-CR-08244-DW
Case Number

DEAN WHIPPLE Defendant
District Court Judge

Notice is hereby given that BRADLEY J. COOK appeals to the United States Court of Appeals for the Eighth Circuit From the: Judgment & Commitment

Order DOC# 416 (DENIAL OF DEF'S MOTION TO DISMISS COUNT
Specify 6.17.2013 entered on this action on IT IS
entered on this action on 6.17.2013 UNCONSTITUTIONAL)
Date

CARTER COLLINS LAW
141 NORTH MERAMEC AVE.
SUITE 314

CLAYTON Mo 63105
City State Zip

314.721.7095 Name of Counsel

Telephone Number

288.56.3680

Street Address

SSN (for CJA compensation)

Carter Collins Law

Signature of Attorney

9.24.13

Date

TRANSCRIPT ORDER FORM

To be completed by attorney for appellant

N/A

- Please prepare transcript of:
 Pretrial proceedings
 Testimony or
 Portions thereof
 Sentencing
 Post-trial proceedings
 Other _____

- No transcript ordered:

Reason:

- Previously filed

Other _____

CERTIFICATE OF COMPLIANCE

Appellant hereby certifies that copies of this notice of appeal/transcript order form have been filed/served upon U.S. District Court, court reporter, and all counsel of record, and that satisfactory arrangements for payment of cost of transcripts ordered have been made with the court reporter. (FRAP 10(b)). Method of payment: Funds
 CJA Form 24, completed and attached

Attorney's signature _____ Date _____

(See Reverse)

INFORMATION SHEET

To be Completed by Attorney for Appellant

1. Defendant's Address: IN CUSTODY OF USMS @ LAFAYETTE
CO. JAIL, 107 SO. 11TH ST., LEXINGTON, MO 64067

2. Date of verdict: N/A Jury Non jury

Offenses: 18 USC § 1591 & 1594

Trial Testimony Number of days _____ Bail Status: _____

3. Sentence and Date Imposed: 9.11.13 · 240 MOS BOP; LIFE
SUPERVISED RELEASE; \$100 S/A; \$123,041.66
RESTITUTION

4. Date Trial Transcripts Ordered by Counsel or District Court: N/A

Stenographer in Charge (Name, Address and Telephone Number): DENNA LAMKEN
816.512.5622

5. Trial Counsel was appointed retained X

Does Defendant's financial status warrant appointment of counsel on appeal? YES

Affidavit of financial status filed: HEREWITH

Is there any reason why trial counsel should not be appointed as counsel on appeal?

NO

6. Assistant United States Attorney name and telephone number: CYNTHIA CORDES ·
816.426.3122; PAUL BECKER

COURT REPORTER ACKNOWLEDGMENT

Date Order Received

Estimated Completion Date

Estimated No. of Pages

Court Reporter's Signature

Date

:ntcapp1.int

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Case No. 10-00244-02-CR-W-DW
v.)
)
BRADLEY COOK,)
)
Defendant.)

ORDER

Before the Court is the Government's Motion to Dismiss Counts of Indictment (the "Motion"). See Doc. 467. The Motion moves to dismiss all counts in the original Indictment and Counts 1, 3-18 of the Superseding Indictment, as the Defendant Bradley Cook has pled guilty and was sentenced under Count 2 of the Superseding Indictment. For good cause shown, it is hereby ORDERED that the Government's Motion to Dismiss Counts of Indictment (Doc. 467) is GRANTED. All counts in the original Indictment, and Counts 1, 3-18 of the Superseding Indictment are DISMISSED as to Defendant Bradley Cook.

IT IS SO ORDERED.

Date: October 18, 2013

/s/ Dean Whipple

Dean Whipple
United States District Judge

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Case No. 10-00244-02-CR-W-DW
v.)
)
BRADLEY COOK,)
)
Defendant.)

AMENDED ORDER

Before the Court is the Government's Motion to Dismiss Counts of Indictment (the "Motion"). See Doc. 467. The Motion moves to dismiss all counts in the original Indictment and Counts 1, 3 (sic)-18 of the Superseding Indictment, as the Defendant Bradley Cook has pled guilty and was sentenced under Count 2 of the Superseding Indictment. For good cause shown, it is hereby ORDERED that the Government's Motion to Dismiss Counts of Indictment (Doc. 467) is GRANTED. All counts in the original Indictment, and Counts 1, 13-18 of the Superseding Indictment are DISMISSED as to Defendant Bradley Cook.

IT IS SO ORDERED.

Date: October 21, 2013

/s/ Dean Whipple
Dean Whipple
United States District Judge

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Case No. 10-00244-02-CR-W-DW
v.)
)
BRADLEY COOK,)
)
Defendant.)

ORDER

Before the Court is the Defendant Bradley Cook's (the "Defendant") Motion for Leave to Appeal *In Forma Pauperis* (the "Motion"). See Doc. 459. The Defendant seeks leave to appeal *in forma pauperis* the denial of his Motion to Dismiss Count II of the Indictment as Unconstitutionally Vague (the "Motion to Dismiss"). The Defendant pled guilty to Count II for sex trafficking by force, fraud, or coercion, and was sentenced to 240 months of imprisonment on that count. The Defendant's plea agreement expressly reserves the Defendant's right to appeal the denial of his Motion to Dismiss.

In an Order dated October 4, 2013, the Court stated that it could not "determine why Defendant would want to appeal, or how any appeal would be taken in good faith." The Order explained that:

Paragraph 17(b) of the Defendant's plea agreement states that
'[i]n the event the defendant prevails on this appeal, and Count Two
is dismissed, he will be allowed to withdraw his guilty plea . . .
[i]f the defendant chooses to withdraw his guilty plea at that
time, the Government, in both the Western District of Missouri
and the Eastern District of Missouri, can reinstate all charges
in the current indictments and both districts can pursue any and
all other charges pertaining to evidence in its possession.'

Consequently, the Court ordered the Defendant to "explain how an appeal would not be futile,

and would be taken in good faith.” See Doc. 477.

On October 17, 2013, the Defendant filed his response. Citing United States Supreme Court precedent, the Defendant notes that “an appeal may not be taken *in forma pauperis* if the trial court certifies in writing that it is not taken in good faith . . . [and] a defendant’s good faith in this type of case [is] demonstrated when he seeks appellate review of any issue not frivolous.” Doc. 487, p. 2 (citing and quoting Coppedge v. United States, 369 U.S. 438 (1962)). The Defendant argues that the issue he seeks to appeal “is not so patently frivolous as to be taken in bad faith,” and “is not one which the United States Supreme Court has finally decided.” Doc. 487, p. 3. The Defendant’s response also emphasizes his right to appeal the denial of his Motion to Dismiss under the plea agreement.

After reviewing the record, the Court will not permit Defendant to appeal *in forma pauperis*. First, the issue Defendant wants to appeal has already been decided by the Eighth Circuit. In particular, the Defendant’s Motion to Dismiss primarily argues that if “§ 1591 can now be interpreted as pertaining to customers of trafficking victims, it must be declared unconstitutionally vague . . .” Doc. 117, p. 7. In United States v. Jungers, 702 F.3d 1066 (8th Cir. 2013), however, the court held that § 1591 does apply to customers; the court stated that the “sole issue raised on appeal is whether the plain and unambiguous provisions of 18 U.S.C. § 1591 apply to both suppliers **and consumers** of commercial sex acts. We conclude they do.” Id. at 1069 (emphasis supplied) (quotations and alterations omitted). Jungers weighs against a finding of good faith. See, e.g., Dotel v. Pollard, 2009 WL 3644918, at * 1 (E.D. Wisc. Oct. 30, 2009) (finding no good faith basis to appeal in part because “the court based its decision . . . on binding Seventh Circuit case law”).

Second, the Defendant fails to explain how prevailing on appeal would result in any

tangible benefit to him, such as a reduced sentence. To the contrary, a “successful” appeal could subject Defendant to a panoply of charges, i.e., the Government “can reinstate all charges in the current indictments and both districts can pursue any and all other charges pertaining to evidence in its possession.” Reinstatement would also result in additional expenditures of tax dollars and judicial resources, all for no discernible purpose. These practical considerations all weigh against granting Defendant *in forma pauperis* status.

Finally, the Defendant argues that he expressly reserved the right to appeal the denial of his Motion to Dismiss. The Court agrees, but the question here is whether Defendant has shown that his appeal should be subsidized by tax dollars. For the reasons discussed above, the Defendant has not made this showing.

For these reasons, the Court hereby certifies that an appeal would not be taken in good faith and that the Defendant is not otherwise entitled to proceed *in forma pauperis*. Therefore, it is hereby ORDERED that the Defendant Bradley Cook’s Motion for Leave to Appeal *In Forma Pauperis* (Doc. 459) is DENIED. The Clerk of Court is directed to notify the Eighth Circuit Court of Appeals of this Order.

IT IS SO ORDERED.

Date: October 22, 2013

/s/ Dean Whipple
Dean Whipple
United States District Court

U. S. COURT OF APPEALS - EIGHTH CIRCUIT
NOTICE OF APPEAL SUPPLEMENT

MISSOURI WESTERN DISTRICT - KANSAS CITY

Please note any additions or deletions to the style of the case from the style listed on the docket sheet (or attach an amended docket sheet with the final style of the case).

Case Caption: USA v. Bagley et al

Case No. 10-cr-00244-DW-2

Appellant: **Bradley Cook**

Appellee: **USA**

Appellant's Attorney(s):

Appellee's Attorney(s):

Lance David Sandage

Sandage Bell LLC
2345 Grand Boulevard
Suite 675
Kansas City, MO 64108
(816) 753-0800
Fax: 877-684-5717
Email: lance@sandagebell.com

Cynthia L. Cordes

United States Attorney's Office-KCMO
400 E 9th Street
Suite 5510
Kansas City, MO 64106
(816) 426-3188
Fax: (816) 426-7080
Email: teresa.moore2@usdoj.gov

Court Reporter(s):

Dorothy Myers, Shelly McDowell, Denna
Lamken

Please return files and documents to:

United States District Court
400 East 9th Street, Room 1510
Kansas City, MO 64106

Contact Person for Appeal:
Willie Crespo 816-512-5068

Length of Trial:
0

Fee:
Not paid

IFP:
No

Pending IFP Motion:
No

Counsel:
Retained

Pending Motions?
No

Local Interest? **No**

Simultaneous Release? **No**

Criminal Cases / Prisoner Pro Se Cases Only:

Defendant Incarcerated?	Where?	Multiple Defendants? If so, please list
Yes	Unknown	Yes 1 Edward Bagley, Sr. 2 Bradley Cook 3 Dennis Henry 4 Michael Stokes 5 James Noel 6 Marilyn Bagley

Special Comments: None